



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

d15356

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Food and Drug Administration
7200 Lake Ellenor Drive
Orlando, FL 32809

Ref: FDA Sample No. 3107890
Customs Entry No. G43-0026596-9
Fresh Artichokes

WARNING LETTER

FLA-97-07

November 22, 1996

Mr. Harold R. Sbrocco
Owner, Sbrocco International, Inc.
5 E. Satow Road, Suite C&D
Marlton, New Jersey 08053

Dear Mr. Sbrocco:

The Food and Drug Administration (FDA) attempted to examine a shipment of fresh artichokes offered for entry into the United States by your firm on November 5, 1996, under the above referenced entry number, and found that the shipment was not available. Regulation Title 21, Code of Federal Regulations (CFR), Part 1.90, requires the importer to hold an entry intact pending receipt of a "May Proceed Notice" or "Release Notice" from FDA. All future entries of FDA regulated products must be filed as formal entries.

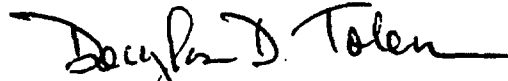
Failure to promptly correct this violation and prevent future violations may result in regulatory action without further notice such as seizure, injunction, or automatic detention of future shipments. FDA may also request Customs to revoke immediate delivery privileges. It is your responsibility, as the importer, to ensure that imported products meet all requirements of the Federal Food, Drug, and Cosmetic Act and the regulations promulgated thereunder.

We request a response in writing within fifteen (15) working days of receipt of this letter of the specific steps you have taken to correct the violation, including an explanation of each step being taken to prevent the recurrence of the violation. In addition, you should inform Customs and FDA if and when redelivery is accomplished.

Mr. Harold R. Sbrocco
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Your written reply should be addressed to the Food and Drug Administration, Attention: Paul R. Bagdikian, Compliance Officer, P. O. Box 59-2256, Miami, Florida 33159-2256.

Sincerely,

A handwritten signature in black ink, reading "Douglas D. Tolen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Douglas D. Tolen
Director, Florida District